



CORRECTION TO PUBLIC NOTICES

File Number: NRS14.305
December 11, 2015

The Department hereby corrects the public notices associated with file number NRS 14.305, including the notices published on the Department's website on October 23, 2015, the related Notice of Public Hearing (NOPH-15011), and the notice published in the local newspaper (collectively, the "Notices"). This correction relates to the proposal by Browning Development Solutions for the Eagle Point Development off Interstate Drive in Cookeville.

APPLICANT: Jeff Browning, Principal
Browning Development Solutions
P.O. Box 2725
Brentwood, TN 37216
(615)376-8844

LOCATION: The project is located on Interstate Drive and South Walnut Avenue, Cookeville, Putnam County, TN, Latitude 36.140579; Longitude -85.510072.

CORRECTION: The Notices indicated the Department had made final determinations that the affected waterbody constitutes Exceptional Tennessee Waters, the proposed activities will result in above a *de minimis* level of degradation to water quality, and the proposed activity is necessary to accommodate important economic or social development in the area. However, it was and is the intent of the Department to allow full and meaningful public participation on both the required antidegradation determinations and the Aquatic Resource Alteration Permit. The Department recognizes the Notices may have created a timing conflict that could have inadvertently resulted in limiting the ability of the public to comment.

Accordingly, the Department hereby corrects the Notices to the extent they indicated that any final determinations had been made regarding the required antidegradation determinations and the Aquatic Resource Alteration Permit. The Notices are of no further force or effect.

On November 18, 2015, the Sierra Club filed a Petition for Declaratory Ruling regarding the Department's determination that the project was necessary to accommodate important Economic and Social development in the area. Pursuant to the Antidegradation Statement, the Department will not proceed further in processing the permit application until that petition has been resolved.

After resolution of the pending Petition for Declaratory Ruling, the Department will re-notice the ARAP and a public hearing at which comments can be made regarding all aspects of the proposed project, including the required antidegradation determinations. The Department will give notice of its final determinations after consideration of public comments.